

THIRTY-THIRD LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Bill Atchley of Sevier County.

Representative Webb led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

The Speaker announced that Representative Clark (Sumner) was excused because of a death in the family.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 344, 494, 585, 1155, 1170, 1176, 1257, 1269, 1278 and 1279; and House Joint Resolutions Nos. 105, 150, 151, 155, 156, 157, 158, 164, 169, 181 and 192; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 217, 294, 303, 449, 451, 452, 453, 478, 489 and 830; also, Senate Joint Resolutions Nos. 89, 91 and 101; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 217, 294, 303, 449, 451, 452, 453, 478, 489 and 830; Senate Joint Resolutions Nos. 89, 91 and 101.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 502, 787, 864, 875 and 1195; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 502, 787, 864, 875 and 1195.

CALENDAR

Mr. Love moved that House Bill No. 762 be placed on the Calendar for Tuesday, May 3, 1983, which motion prevailed.

House Bill No. 567--To make provisions, certain rented premises.

Ms. DeBerry moved that House Bill No. 567 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 567 by deleting from the amendatory language of Section 1 the words and punctuation ", to be prepared by the building inspector," and by substituting instead the following:

" , to be prepared by the building inspector and signed by the tenant,".

On motion, the amendment was adopted.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 567 by adding to the amendatory language of Section 1 the following new sentence:

The governing body of any city or county may fix fees, which would reasonably defray the cost of preparing such notice and summary of an oral complaint, to be paid by such tenant.

Mr. Williams moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	50
Noes	34
Present and not voting	4

Representatives voting aye were: Bell, Bivens, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Gafford, Gaia, Gill, Hassell, Herndon, Hillis, Hurley, Jared, Johnson, Kernell, King (Shelby), Love, McKinney, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Napier, Owen, Percy, Phillips, Pruitt, Robinson (Hamilton), Severance, Sir, Stallings, Starnes, Tanner, Wheeler, Williams, Work and Yelton--50.

Representatives voting no were: Anderson, Atchley, Bewley, Buck, Copeland, Crain, Davis (Gibson), Elsea, Ford, Frensey, Harrill, Henry, Hudson, Huskey, Kelley, Kent, McAfee, McNally, Naifeh, Nance, Pickering, Robertson, Robinson (Washington), Scruggs, Shirley, Shockley, Smith, Stafford, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--34.

Representatives present and not voting were: Bragg, Brewer, Kisber and Moore (Shelby)--4.

Thereupon, House Bill No. 567, as amended, passed its third and final consideration by the following vote:

Ayes	90
Noes	1
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representative voting no was: Hudson--1.

Representatives present and not voting were: Pickering, Shirley and Stafford--3.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 626--To create Reelfoot Lake Regional Utility and Planning District.

Mr. Tanner moved that House Bill No. 626 be passed on third and final consideration.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 626 by deleting Sections 1 through 19 in their entirety and by substituting instead the following:

SECTION 1. Creation -- Purpose. -- (a) There is hereby created the Reelfoot Lake Regional Utility and Planning District in the counties of Lake and Obion.

(b) This District is intended to secure economic benefits to the above counties and to the cities of Tiptonville and Samburg by providing for sewer and other utilities in the District and by providing for a District

with powers for planning and other related activities to preserve Reelfoot Lake.

(c) The boundaries of the District are as follows:

An area comprising the central portion of Lake County and the west central portion of Obion County including the municipalities of Tiptonville and Samburg. The area being more specifically as shown on the illustration below and approximately described as follows: Beginning at point "A" (36 degrees 23' 28" Lat., 89 degrees 31' 07" Long.) on the east levee of the Mississippi River; thence in a southern direction along the river levee to point "B" (36 degrees 21' 24" Lat., 89 degrees 31' 21" Long.); thence easterly to point "C" (36 degrees 21' 15" Lat., 89 degrees 22' 16" Long.); thence northeasterly to point "D" (36 degrees 23' 53" Lat., 89 degrees 18' 50" Long.); thence northwesterly to an east bank of Reelfoot Lake at point "E" (36 degrees 24' 33" Lat., 89 degrees 20' 03" Long.); thence in a southwest direction following the southern shore of Reelfoot Lake to point "F" (36 degrees 24' 40" Lat., 89 degrees 26' 36" Long.) thence to the point of beginning.

SECTION 2. Effective date -- This Act shall take effect upon becoming law, the public welfare requiring it.

SECTION 3. General Implementing Powers. -- The District created pursuant to the provisions of this chapter shall be vested with all the powers necessary and requisite for the accomplishment of the purpose for which such District is created, capable of being delegated by the legislature. No enumeration of particular powers herein created shall be construed to impair or limit any general grant or power herein contained. The district is empowered to do all acts necessary, proper or convenient in the exercise of the powers granted herein.

SECTION 4. Exemption From State Regulation. -- Neither the public service commission nor any other board of commission of like character hereafter created shall have jurisdiction over the District in the management and control of any system, including the regulation of its rates, fees, tolls or charges.

SECTION 5. Powers In Carrying Out Purposes -- Services By Cities Or Towns. -- (a) The District created pursuant to this chapter shall have the power:

- (1) To sue and be sued;
- (2) To have a seal;

(3) To acquire by purchase, gift, devise, lease or exercise of the power of eminent domain or other mode of acquisition, hold and dispose of real and personal property of every kind within or without the District, whether or not subject to mortgage or any other liens;

(4) To make and enter into contracts, conveyances, mortgages, deeds of trust, bonds or leases;

(5) To incur debts, to borrow money, to issue negotiable bonds and to provide for the rights of holders thereof;

(6) To fix, maintain, collect and revise rates and charges for any service;

(7) To pledge all or any part of its revenues;

(8) To make such covenants in connection with the issuance of bonds, or to secure the payment of bonds, that a private business corporation can make under the general laws of the state, notwithstanding that such covenants may operate as limitations on the exercise of any power granted by this chapter;

(9) To use any right-of-way, easement or other similar property right necessary or convenient in connection with the acquisition, improvement, operation or maintenance of a utility, held by the state or any political subdivision thereof, provided that the governing body of such political subdivision shall consent to such use;

(10) To apply for or accept grants, loans or other financial assistance from any federal, state, county or municipal agency in aid of the acquisition, planning, development, management or operation of the lands, improvement to lands, or facilities provided for herein;

(11) To enter upon any lands and premises for the purpose of making surveys, soundings, and examination in connection with the acquisition, improvement, operation, or maintenance of any of the facilities of the District; provided, however, the District shall be liable for any damages caused thereby.

(b) The powers of the District shall be vested in and exercised by a majority of the members of the board of directors of the District.

(c) The District is empowered to conduct, operate and maintain a system, or systems, for the furnishing of water, sewer, sewage disposal, natural gas, natural gas storage and related activities, liquefied natural gas storage and related activities, liquid propane gas storage and related activities and other gaseous storage and related facilities, artificial gas, garbage collection and garbage disposal, street lighting, parks and recreational facilities.

(d) Incorporated cities and towns within the District or within five miles of the District boundary shall lose their right to provide the utilities under the following conditions:

(1) Where an agreement cannot be reached, the Utility District, by a resolution setting out the area to be served and the type of utility, shall notify the city or town of its intention to serve the area;

(2) After receipt of such notice, the city or town shall have sixty (60) days in which to adopt and appropriate ordinance or resolution determining to serve the area within a specified time; the Utility District may within ten (10) days appeal to the county executive of the county in which the major part of the land area is located if it considers the time so determined is too long, whereupon the county executive after hearing both parties shall determine a reasonable time for the city or town to provide the services, and further appeal may be taken by either party to the Chancery Court of the county affected.

(3) Upon failure of the city or town to provide the services within the time so determined, or to adopt an ordinance or resolution within the 60-day period, the Utility District shall be authorized to serve any part of the area not already served by the city or town.

(e) The District shall have powers for zoning and planning, land use control, siltation and drainage control and lake management control within the District but subject to the provisions of paragraph (f).

(f) Where the powers expressed in paragraph (e) have been delegated to another governmental entity, the District shall exercise these powers only with the consent of such governmental entity. The District, by resolution setting out the powers to be exercised under paragraph (e), shall notify the appropriate governmental entity of its intention to exercise such power, and after receipt of such notice, such governmental entity shall consent or object to the exercise of same by the District, and if no action is taken

within one hundred twenty (120) days from the receipt of such notice, there shall be a conclusive presumption that such governmental entity consented to the exercise of such power by the District.

SECTION 6. Contracts. -- All contracts of the District shall be entered into and executed in such manner as may be prescribed by statutes, regulations and procedures governing contracting by county governments; but no contract or acquisition by purchase of equipment, apparatus, materials or supplies involving more than five hundred dollars (\$500), or for construction, installation, repair or improvement of the property or facilities involving more than five hundred dollars (\$500) shall be made except after such contract has been advertised for bids, provided that advertisement shall not be required when an emergency arises and requires immediate delivery of the supplies or performance of the service.

SECTION 7. Eminent Domain. -- The District is hereby authorized and empowered to condemn, in the name of the District, any land, easements, or rights-of-way in the boundaries of the District that, in the opinion of the board of directors, are necessary or convenient to carry out the purposes of this act. Title to property so condemned shall be taken by and in the name of the District, and the property shall thereafter be entrusted to the District for the purposes of this part. Such condemnation proceedings shall be in accordance with chapters 16 and 17 of title 29 of the Public Acts of Tennessee. Provided, however, that where title to any property sought to be condemned is defective, it shall be passed by the judgment or decree of the court. Provided, further, that where condemnation proceedings become necessary, the court in which any such proceedings are filed shall, upon application by the District, and upon posting of a bond with the clerk of the court in such amount as the court may deem commensurate with the value of the property, order that a writ of possession shall issue immediately, or as soon and upon such terms as the court, in its discretion, may deem proper and just.

SECTION 8. Funds and Funding. -- (a) Except as herein otherwise expressly provided, all bonds issued by the District shall be payable solely out of the revenues and receipts derived from the District's projects or of any thereof as may be designated in the proceedings of the board of directors under which the bonds shall be authorized to be issued, including debt obligations of the lessee or contracting party obtained from or in connection with the financing of a project; provided, that notes issued in anticipation of the issuance of bonds may be retired out of the proceeds of such bonds. Such bonds may be executed and delivered by the District at any time and from time to time may be in such form and denominations and of such terms and maturities, may be in registered or bearer form either as to principal or interest or both, may be payable in such

installments and at such time or times not exceeding forty (40) years from the date thereof, may be payable at such place or places whether within or without the state of Tennessee, may bear interest at such rate or rates payable at such time or times and at such place or places and evidenced in such manner, may be executed by such officers of the District and may contain such provisions not inconsistent herewith, all as shall be provided in the proceedings of the board of directors whereunder the bonds shall be authorized to be issued. If deemed advisable by the board of directors, there may be retained in the proceedings under which any bonds of the District are authorized to be issued an option to redeem all or any part thereof as may be specified in such proceedings, at such price or prices and after such notice or notices and on such terms and conditions as may be set forth in such proceedings and as may be briefly recited in the face of the bonds, but nothing herein contained shall be construed to confer on the District any right or option to redeem any bonds except as may be provided in the proceedings under which they shall be issued. Any bonds of the District may be sold at public or private sale in such manner, at such price and from time to time as may be determined by the board of directors of the District to be most advantageous, and the District may pay all expenses, premiums and commissions which its board of directors may deem necessary or advantageous in connection with the issuance thereof. Issuance by the District of one or more series of bonds for one or more purposes shall not preclude it from issuing other bonds in connection with the same project or any other project, but the proceedings whereunder any subsequent bonds may be issued shall recognize and protect any prior pledge or mortgage made for any prior issue of bonds. Proceeds of bonds issued by the District may be used for the purpose of constructing, acquiring, reconstructing, improving, equipping, furnishing, bettering, or extending any project or projects, including the payment of interest on the bonds during construction of any such project and for two (2) years after the estimated date of completion, and payment of engineering, fiscal, architectural and legal expenses incurred in connection with such project and the issuance of the bonds, and the establishment of a reasonable reserve fund for the payment of principal of and interest on such bonds in the event of a deficiency in the revenues and receipts available for such payment.

(b) Any bonds or notes of the District at any time outstanding may at any time and from time to time be refunded by the District by the issuance of its refunding bonds in such amount as the board of directors may deem necessary, but not exceeding the sum of the following:

(1) The principal amount of the obligations being refinanced;

(2) Applicable redemption premiums thereon;

(3) Unpaid interest on such obligations to the date of delivery or exchange of the refunding bonds;

(4) In the event the proceeds from the sale of the refunding bonds are to be deposited in trust as hereinafter provided, interest to accrue on such obligations from the date of delivery to the first or any subsequent available redemption date or dates selected, in its discretion, by the board of directors, or to the date or dates of maturity, whichever shall be determined by the board of directors to be most advantageous or necessary to the District;

(5) A reasonable reserve for the payment of principal of and interest on such bonds and/or a renewal and replacement reserve;

(6) If the project to be constructed from the proceeds of the obligations being refinanced has not been completed, an amount sufficient to meet the interest charges on the refunding bonds during the construction of such project and for two (2) years after the estimated date of completion (but only to the extent that interest charges have not been capitalized from the proceeds of the obligations being refinanced); and

(7) Expenses, premiums and commissions of the District, including bonds discount, deemed by the board of directors to be necessary for the issuance of the refunding bonds. A determination by the board of directors that any refinancing is advantageous or necessary to the District, or that any of the amounts provided in the proceeding sentence should be included in such refinancing, or that any of the obligations to be refinanced should be called for redemption on the first or any subsequent available redemption date permitted to remain outstanding until their respective dates of maturity, shall be conclusive.

(c) Any such refunding may be effected whether the obligations to be refunded shall have then matured or shall thereafter mature, either by the exchange of the refunding bonds for the obligations to be refunded thereby with the consent of the holders of the obligations so to be refunded, or by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations to be refunded thereby, and regardless of whether or not the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

(d) Prior to the issuance of the refunding bonds, the board of directors shall cause notice of its intention to issue the refunding bonds, identifying the obligations proposed to be refunded and setting forth the estimated date of delivery of the refunding bonds, to be given to the holders of the outstanding obligations by publication of an appropriate notice one (1) time each in a newspaper having general circulation in the area and in a financial newspaper published in New York, New York, and having national circulation. As soon as practicable after the delivery of the refunding bonds, and whether or not any of the obligations to be refunded are to be called for redemption, the board of directors shall cause notice of the issuance of the refunding bonds to be given in the manner provided in the preceeding sentence.

(e) If any of the obligations to be refunded are to be called for redemption the board of directors shall cause notice of redemption to be given in the manner required by the proceedings authorizing such outstanding obligations.

(f) The principal proceeds from the sale of any refunding bonds shall be applied only as follows: either,

(1) To the immediate payment and retirement of the obligations being refunded; or

(2) To the extent not required for the immediate payment of the obligations being refunded then such proceeds shall be deposited in trust to provide for the payment and retirement of the obligations being refunded, and to pay any expenses incurred in connection with such refunding, but provision may be made for the pledging and disposition of any surplus, including without limitation, provision for the pledging of any such surplus to the payment of the principal of and interest on any issue or series of refunding bonds. Money in any such trust fund may be invested in direct obligations of, or obligations the principal of and interest on which are guaranteed by the United States government, or obligations of any District or instrumentality of the United States government, or in certificates of deposit issued by a bank or trust company located in the state of Tennessee if such certificates shall be secured by a pledge of any of said obligations having any aggregate market value, exclusive of accrued interest, equal at least to the principal amount of the certificates so secured. Nothing herein shall be construed as a limitation on the duration of any deposit in trust for the retirement of obligations being refunded but which shall not have matured and which shall not be presently redeemable or,

if presently redeemable, shall not have been called for redemption.

(g) All such bonds, refunding bonds and the interest coupons applicable thereto are hereby made and shall be construed to be negotiable instruments.

(h) The principal of and interest on any bonds issued by the District shall be secured by a pledge of the revenues and receipts out of which the same shall be made payable, and may be secured by a mortgage or deed of trust covering all or any part of the projects from which the revenues or receipts so pledged may be derived, including any enlargements of and additions to any such projects thereafter made, and/or by an assignment and pledge of all or any part of the District's interest in and rights under the leases, sale contracts or loan agreements relating to such projects, or any thereof. The resolution under which the bonds are authorized to be issued and any such mortgage or deed of trust may contain any agreements and provisions respecting the maintenance of the projects covered thereby, the fixing and collection of rents or payments with respect to any projects or portions thereof covered by such resolution, mortgage or deed of trust, the creation and maintenance of special funds from such revenues and from the proceeds of such bonds, and the rights and remedies available in the event of default, all as the board of directors shall deem advisable not in conflict with the provisions hereof. Each pledge, agreement, mortgage and deed of trust made for the benefit or security of any of the bonds of the District shall continue effective until the principal of and interest on the bonds for the benefit of which the same were made shall have been fully paid. In the event of default in such payment or in any agreements of the District made as a part of the contract under which the bonds were issued, whether contained in the proceedings authorizing the bonds or in any mortgage and deed of trust executed as security therefor, such payment or agreement may be enforced by suit, mandamus, the appointment of a receiver in equity, or by foreclosure of any such mortgage and deed of trust, or any one or more of said remedies.

(i) No bond authorized herein may be issued until the financial information provided for in T.C.A. 7-82-501(b) is submitted to the State Director of Local Finance and the provisions of said paragraph are complied with.

SECTION 9. Rates Sufficient To Pay Costs And Retire Bonds.

-- The board of directors shall prescribe and collect reasonable rates, fees, tolls, or charges for the services, facilities and commodities of its system or systems, shall prescribe penalties for the nonpayment thereof, and shall revise such rates, fees, tolls or charges from time to time whenever necessary to insure

that such system or systems shall be and always remain self-supporting. The rates, fees, tolls or charges prescribed shall be such as will always produce revenue at least sufficient:

(1) To provide for all expenses of operation and maintenance of the system or systems, including reserves therefor; and

(2) To pay when due all bonds and interest thereon for the payment of which such revenues are or shall have been pledged, charged or otherwise encumbered, including reserves therefor.

SECTION 10. Annual Audit -- Publication of Water And Sewer Rates and Annual Financial Statement. -- (a) The directors of the Utility District shall cause an annual audit to be made of the books and records of their District. The comptroller of the treasury, through the department of audit, shall be responsible for determining that such audits are prepared in accordance with generally accepted governmental auditing standards and that such audits meet the minimum standards prescribed by the comptroller. The comptroller shall promulgate such rules and regulations as are required to assure that the books and records are kept in accordance with generally accepted accounting procedures and that audit standards prescribed by the comptroller are met.

(b) Said audits shall be prepared by certified public accountants, public accountants or by the department of audit. In the event the board of directors of the District shall fail or refuse to have said audit prepared, then the comptroller may appoint a certified public accountant, or public accountant or direct the department of audit to prepare said audit, the cost of such audit to be paid by the Utility District.

(c) Within ninety (90) days after the close of the fiscal year of the District, the directors of the District shall publish in a newspaper of general circulation, published in the counties in which the District is situated, a statement showing:

(1) The financial condition of the District at the end of the fiscal year;

(2) The earnings of the District during that fiscal year just ended;

(3) A statement of the rates then being charged by the District, and a brief statement of the method used in arriving at such rates.

(d) A copy of such annual statement and audit shall be filed with the county executives of Lake and Obion Counties,

and a copy forwarded to the office of the comptroller of the treasury of the state of Tennessee. The failure to file such copies shall be a misdemeanor.

SECTION 11. Protest Of Rates -- Adjustment Of Complaints.

-- (a) Within thirty (30) days of the date on which this statement is published, any water or sewer user of the District may file with the directors of the District a protest, giving reasons why, in the opinion of the water or sewer user, the rates so published are too high or too low. Within a period of fifteen (15) days after the end of this thirty (30) day period during which such protest may be filed, the directors shall notify each protestant of a hearing to be held by the directors on such protests as may have been filed within the thirty (30) day period prescribed. Upon the hearing date so fixed, which shall be some date within a period of sixty (60) days after giving such notices to the protestants, all such protests shall be heard together by the directors. After hearing and examining statements exhibits and arguments of the protestants or their counsel the directors shall make and spread upon the minutes of the board their finding as to the reasonableness or unreasonableness of the published rates, and at the same time the board may increase or decrease such rates upon a finding that they are too low or too high, as the case may be.

The directors shall not be required to receive, consider or act upon any protest filed at any time other than within the thirty (30) day period provided in this section.

Any protestant feeling himself aggrieved by the final action of the directors under this section may obtain a review of the directors' action in the Chancery Court of Lake or Obion County through the common law writ of certiorari.

(b) It shall be the duty of the board of directors of the District to have and maintain a set of rules and regulations regarding the adjustment of all complaints which may be made to the District concerning the availability of utility services to persons in need thereof, the quality of service performed, the adjustment of bills, and all other complaints of any nature, with provision as to the manner of resolution of individual complaints, provision as to the types of complaints which may be resolved by salaried employees of the District, and those which may be resolved only by the board of directors. Such rules shall be posted or otherwise available for convenient inspection by customers and members of the public in the offices of the District, they shall provide for the office employees or other employees of the District to schedule for consideration by the board of directors any complaint of such nature as may be decided by the board under its rules and regulations, and also to schedule for consideration by the board of directors, the review of any complaint which

shall not have been settled to the satisfaction of the customer or citizen by a salaried employee to whom the settlement of such complaint shall have been delegated.

SECTION 12. Planning Development. -- (a) The District shall develop a comprehensive development plan for the economic growth and residential, recreational, commercial and industrial development of Reelfoot Lake.

(b) In making such investigation necessary to the development of the comprehensive development plan and in formulating the comprehensive development plan, the District shall seek the assistance of federal, state and local agencies, and of private citizens and citizen organizations interested in the conservation and development of the resources of the area.

(c) The District may enter into contracts with municipalities, other public agencies or political subdivisions of any kind, corporations, public or private, or with others, for the construction of facilities, utilities, or for the provision of services within or in conjunction with development with in the development lands, that the District determines are required for the development of the development lands or for the operation or management of such facilities.

(d) The District may develop, or provide for the development of, the development lands for recreational, residential. commercial and industrial purposes or for any other purpose consistent with this Act, and may provide for the development, management or operation of the development lands or facilities with in such lands for these purposes, directly or by contractors, licensees, concessionaires, lessees or vendees.

(e) The District may sell or lease any development lands, or interests therein, for uses consistent with the District's development plan, for such consideration and on such terms as the District deems appropriate and necessary to effectuate the comprehensive development plan, and subject to such restrictions as the District deems necessary for the protection of the economic and environmental values within the area, including requirments related to: (1) the character or design of improvements and activities which may be undertaken on the development lands; (2) the time within which such improvements or activities shall be undertaken; and (3) the areas or places within such lands where such activities shall be undertaken.

(f) The District may acquire, construct or operate such facilities or other works of improvement, or may undertake such site development activities, as are necessary or

convenient to effectuate its plans for the comprehensive development of the area.

(g) The District may enter into contracts with any city, county, municipal or other supplier of utilities, for the abandonment, relocation, reconstruction, maintenance or other adjustment of roads, highways, bridges, utility lines or other facilities in, on, over or across the development lands or such areas adjacent thereto as may be necessary or convenient to carry out the purposes of this Act.

(h) The District may acquire, construct, operate and maintain such public roads in, on, over, or across the development lands or such areas adjacent thereto as may be necessary or convenient to carry out the purposes of this Act.

SECTION 13. Contributions By Counties. -- The counties represented on the board of directors are hereby authorized and empowered:

(1) To contribute to the public works of the District any amount or amounts of money that their respective governing bodies, acting in their sole discretion, shall approve to be paid from the general fund of the respective county. The county legislative bodies shall be empowered to levy and collect ad valorem taxes for such purposes, which are hereby declared to be for county public purposes.

(2) To issue their bonds as provided in Tennessee Code Annotated, Sections 5-11-101 through 5-11-125, to obtain funds for the financing of public works by the District, or to secure advances made to the District for the construction of public works pursuant to cooperative agreements with the District.

SECTION 14. Exemption From Taxation. -- So long as the District shall own any system, the property and revenue of such system shall be exempt from all state, county and municipal taxation. Bonds issued pursuant to this chapter and the income therefrom shall be exempt from all state, county and municipal taxation, except inheritance, transfer and estate taxes, and it shall be so stated on the face of said bonds.

SECTION 15. Board of Directors -- Appointment -- Vacancies -- Eligibility. -- (a) Membership of the board of directors shall consist of one member each appointed by the governing bodies of Lake and Obion Counties and of the cities of Tiptonville and Samburg and a fifth director to be appointed by the other directors. The fifth director may not hold office for more than one term unless he receives at least three votes from the other directors. In addition, the county executives of Lake

and Obion Counties shall serve as ex officio members of the board.

(b) The terms of office for the board of directors shall be for four years for each director except for the initial term of office which shall be as follows:

(1) The director appointed by the town of Tiptonville, and the director appointed by the other members of the board of directors, shall serve an initial term of one year;

(2) The director appointed by the town of Samburg shall serve an initial term of two years;

(3) The director appointed by the county of Obion shall serve an initial term of three years; and

(4) The director appointed by the county of Lake shall serve an initial term of four years.

(c) In the event of failure to elect a successor to any member of the board, the member whose term has expired shall continue to serve until his successor has been duly elected as herein provided.

In the event of the death or resignation of a member of the board, or his inability to serve prior to the expiration of his term, his successor shall be appointed for the unexpired term by the body who appointed him.

(d) Any person at least twenty-five (25) years of age who has resided in Lake or Obion County for a period of at least one year immediately preceding his election, shall be eligible to serve as a member of the board of directors of the District. Any director who ceases to regularly reside within Lake or Obion County shall automatically become ineligible to serve in said office,

SECTION 16. Compensation of Directors -- Delegation Of Powers -- Officers -- Records. -- (a) The members of the board, except as provided in subsection (b), shall serve without compensation for their services, but shall be entitled to reimbursement for all expenses incurred in connection with the performance of their duties. The board may delegate to one or more of its members or to its agents and employees such powers and duties as it may deem proper, but at its first meeting and at the first meeting of each calendar year thereafter it shall elect one (1) of its members to serve as chairman, and another of its members as secretary of the board. The secretary shall keep a record of all proceedings of the board which shall be available for inspection as other public records, and shall be custodian of all official records of the District.

(b) The members of the board of directors shall be entitled to receive compensation for their services for each days' attendance of the meetings of said board and the performance of their official duties in an amount not to exceed the compensation paid to members of the Legislative Body of Lake County, Tennessee, for attending meetings of the County Legislative Body. The amount of compensation shall be fixed by the board of directors, but the same shall not exceed the amount provided for above, nor shall the amount of compensation paid to each of the directors exceed One Thousand Dollars (\$1,000.00) per annum.

SECTION 17. Powers Of Directors. -- (a) The board of directors of the District shall have power and authority:

(1) To exercise by vote, ordinance or resolution all of the general and specific powers of the District;

(2) To make all needful rules, regulations and by-laws for the management and the conduct of the affairs of the District and of the board;

(3) To adopt a seal for the District, prescribe the style thereof, and alter the same at pleasure;

(4) To lease, purchase, sell, convey and mortgage the property of the District and to execute all instruments, contracts, mortgages, deeds or bonds on behalf of the District in such manner as the board shall direct.

(5) To inquire into any matter relating to the affairs of the District, to compel by subpoena the attendance of witnesses and the production of books and papers material to any such inquiry, to administer oaths to witnesses and to examine such witnesses;

(6) To appoint and fix the salaries and duties of such officers, experts, agents and employees as it deems necessary, to hold office during the pleasure of the board and upon such terms and conditions as the board may require;

(7) To accept donations to the District of cash, lands or other property to be used in the furtherance of the purpose of this part;

(8) To accept grants, loans, or other financial assistance from any federal, state, county or municipal agency, or other aid for the acquisition or improvement of any of the facilities of the District;

(9) To establish schedules of tolls, fees, rates, charges, and rentals for the use of the properties and facilities under its jurisdiction, and for services which it may render;

(10) To do all things necessary or convenient to carry out its function.

(b) Except as otherwise expressly provided in this part, the directors shall have full and exclusive control of and responsibility for the administration of properties and facilities constructed or acquired pursuant to this part; provided, however, that the District may lease or license lands or facilities under its jurisdiction for operation by private persons or corporations; provided further, however, that this subsection shall not be construed or authorize the directors to exercise such authority in a manner inconsistent with the statutes, regulations and procedures governing such manners in county government.

SECTION 18. Prohibition Of Disposal Of Waste By Certain Means -- Penalty. -- At such time as a sewer system is constructed by the District, it shall thereafter be unlawful for any person or corporation to use any method of disposing of human waste other than by the sewer system provided that the property of such person or corporation abuts on any street, alley, or right-of-way in which there is located a sewer line. Any person or corporation who violates the provisions of this section is guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00). Each day that the provisions of this section are violated shall constitute a separate offense.

SECTION 19. Severability. -- That if any part, clause, sentence, paragraph of section of this Act shall be held or declared to be unconstitutional or void, it shall not affect the remaining part or parts of this Act; it being hereby declared to be the legislative intent to have passed the remainder of the Act, notwithstanding any part held to be invalid.

On motion, the amendment was adopted.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 626 by adding the following language at the end of the first sentence of Section 7: ", provided that the condemnation of such property shall first be approved by the legislative body of the county wherein such property is located."

AND FURTHER AMEND by deleting in the second sentence of Section 8(a) the language "may be in registered or bearer form either as to

principal or interest or both" following the language "and of such terms and maturities" and inserting the language "may be in registered form or in bearer form subject to registration as to principal or interest or both".

AND FURTHER AMEND by deleting in the second sentence of Section 8 (b) (7) the word "proceeding" and inserting the word "preceding".

AND FURTHER AMEND by adding the following language in Section 8(g):
", if any," following the language "interest coupons".

On motion, the amendment was adopted.

Thereupon, House Bill No. 626, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 767 be placed on the Calendar for Tuesday, May 3, 1983, which motion prevailed.

Mr. Murphy moved that House Bill No. 392 be placed on the Calendar for Tuesday, May 3, 1983, which motion prevailed.

House Joint Resolution No. 133--Relative to proposed federal settlement with Mobil Oil.

Mr. Sir moved that House Joint Resolution No. 133 be adopted, which motion prevailed by the following vote:

Ayes	59
Noes	17
Present and not voting	17

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Gaia, Gill, Herndon, Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Severance, Shirley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Wheeler, Williams, Wix, Work and Yelton--59.

Representatives voting no were: Atchley, Bewley, Chiles, Elsea, Harrill, King (Washington), McAfee, McNally, Percy, Pickering, Robinson (Washington), Scruggs, Smith, Webb, Whitson, Wolfe and Wood --17.

Representatives present and not voting were: Anderson, Ford, Montsley, Gafford, Hassell, Henry, Hudson, Huskey, Kelley, Kent, Montgomery, Moore (Shelby), Nance, Robertson, Robinson (Hamilton), Shockley and Wallace--17.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 594--To use medical test in criminal cases.

On motion, House Bill No. 594 was made to conform with Senate Bill No. 663.

On motion, Senate Bill No. 663, on same subject, was substituted for House Bill No. 594.

Mr. Davis (Pickett) moved that Senate Bill No. 663 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 663 by designating the existing language of SECTION 4 as subsection (a) and by adding the following new subsection (b):

(b) The provisions of this act shall apply only to those cases in which the conduct giving rise to a civil or criminal proceeding in which the question of parentage arises occurs on or after July 1, 1983.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 663, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--93.

Representative present and not voting was: Dixon--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Wolfe moved that House Bill No. 1006 be placed on the Calendar for Tuesday, May 3, 1983, which motion prevailed.

House Bill No. 835--To make certain provisions, alcoholic beverage taxes.

Mr. Severance moved that House Bill No. 835 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 835 by deleting in Section 1 the words and figures "Section 57-4-306 (2) (A) (i)" and substituting instead the words and figures "Section 57-4-306 (2) (B) (i)".

AND FURTHER AMEND by deleting in Section 1 the words and figures "Section 57-4-306 (2) (A) (ii)" and substituting instead the words and figures "Section 57-4-306 (2) (B) (ii)".

On motion, the amendment was adopted.

Thereupon, House Bill No. 835, as amended, passed its third and final consideration by the following vote:

Ayes	81
Noes	10
Present and not voting	3

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Henry, Herndon, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockey, Sir, Smith, Stafford, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work and Yelton --81.

Representatives voting no were: Atchley, Dills, Harrill, Hassell, Huskey, Kent, Montgomery, Moore (Shelby), Stallings and Wolfe--10.

Representatives present and not voting were: Ford, Nance and Robertson--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1137--To increase annual fee, insurance companies.

On motion, House Bill No. 1137 was made to conform with Senate Bill No. 1062.

On motion, Senate Bill No. 1062, on same subject, was substituted for House Bill No. 1137.

Mr. Henry moved that Senate Bill No. 1062 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson,

Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 524--To amend Section 54-7-113, Code.

On motion, House Bill No. 524 was made to conform with Senate Bill No. 549.

On motion, Senate Bill No. 549, on same subject, was substituted for House Bill No. 524.

Mr. Ussery moved that Senate Bill No. 549 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 549 by deleting the period and quotation mark at the end of the amendatory language in Section 1 and adding the following:

if the accounting procedures in such counties are acceptable to the comptroller of the treasury. The exemption provided for by the preceding sentence shall apply for only twelve (12) months after the effective date of this act.

AND FURTHER AMEND in Section 2 by deleting the period at the end of the section and adding the following:

,and shall cease to be of effect and be repealed twelve (12) months thereafter.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 549, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspanne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley,

Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 607--To authorize legislative office space, certain counties.

On motion, House Bill No. 607 was made to conform with Senate Bill No. 745.

On motion, Senate Bill No. 745, on same subject, was substituted for House Bill No. 607.

Mr. Ussery moved that Senate Bill No. 745 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 745 by adding in Section 1 between the words "county" and "shall" the following:

having a population of not less than eighty-three thousand and three hundred (83,300) and not more than eighty-three thousand and four hundred (83,400) according to the 1980 federal census or any subsequent census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 745, as amended, passed its third and final consideration by the following:

Ayes	87
Noes	2
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee,

McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--87.

Representatives voting no were: Jared and Wallace--2.

Representative present and not voting was: Kelly--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 748--To amend Section 12-2-408, Code.

On motion, House Bill No. 748 was made to conform with Senate Bill No. 793.

On motion, Senate Bill No. 793, on same subject, was substituted for House Bill No. 748.

Mr. Ussery moved that Senate Bill No. 793 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 887--To amend Uniform Residential Landlord and Tenant Act.

Mr. Tanner moved that House Bill No. 887 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 887 by deleting the amendatory language in Section 1 and substituting instead the following:

SECTION 1. (a) A landlord may terminate a rental agreement within three days from the date written notice is delivered to the tenant if the tenant or any other person on the premises with tenant's consent willfully or intentionally commits a violent act or behaves in manner which constitutes or threatens to be a real and present danger to the health, safety or welfare of the life or property of other tenants or persons on the premises.

(b) The notice required by this section shall specifically detail the violation which has been committed and shall be effective only from the date of receipt of the notice by the tenant.

(c) Upon receipt of such written notice the tenant shall be entitled to immediate access to any court of competent jurisdiction for the purpose of obtaining a temporary or permanent injunction against such termination by the landlord.

(d) Nothing in this section shall be construed to allow a landlord to recover or take possession of the dwelling unit by action or otherwise including willful diminution of services to the tenant by interrupting or causing interruption of electric, gas or other essential service to the tenant except in the case of abandonment or surrender.

(e) If the landlord's action in terminating the lease under this provision is willful and not in good faith, the tenant may in addition recover actual damages sustained by him plus reasonable attorney's fees.

(f) The failure to bring an action for or to obtain an injunction may not be used as evidence in any action to recover possession of the dwelling unit.

On motion, the amendment was adopted.

Thereupon, House Bill No. 887, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson),

Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 886--To amend Section 17-3-105, Code.

Mr. Turner moved that House Bill No. 886 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Representative voting no was: Harrill--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 687--To regulate commitment, delinquent juveniles.

On motion, House Bill No. 687 was made to conform with Senate Bill No. 484.

On motion, Senate Bill No. 484, on same subject, was substituted for House Bill No. 687.

Mr. Turner moved that Senate Bill No. 484 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 578--To set jurisdiction, courts of general sessions.

On motion, House Bill No. 578 was made to conform with Senate Bill No. 177.

On motion, Senate Bill No. 177, on same subject, was substituted for House Bill No. 578.

Mr. Turner moved that Senate Bill No. 177 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith,

Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Owen moved that the rules be suspended for the purpose of considering House Resolution No. 62 out of order, which motion prevailed.

House Resolution No. 62--Relative to study, pending annexation legislation.

Mr. Owen moved that House Resolution No. 62 be referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 812--To provide for purchase of natural gas by state entities.

On motion, House Bill No. 812 was made to conform with Senate Bill No. 1115.

On motion, Senate Bill No. 1115, on same subject, was substituted for House Bill No. 812.

Mr. Miller moved that Senate Bill No. 1115 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Representative present and not voting was: Covington--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 247--To make certain provisions, tax relief, disabled veterans.

Mr. Miller moved that House Bill No. 247 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 782--To provide for notice of appellate decrees.

On motion, House Bill No. 782 was made to conform with Senate Bill No. 553.

On motion, Senate Bill No. 553, on same subject, was substituted for House Bill No. 782.

Mr. Murphy moved that Senate Bill No. 553 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--94.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Murphy moved that House Bill No. 551 be placed on the Calendar for the Second Legislative Day of 1984, which motion prevailed.

House Bill No. 191--To provide for lodging, jurors in criminal cases.

Mr. Murphy moved that House Bill No. 191 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 191 by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-18-107, is hereby amended by deleting the language contained therein in its entirety and substituting instead the following:

When necessary, the court trying criminal cases shall have the power to make arrangements to provide the jurors with proper meals and lodging and to pay therefor sums not to exceed allowances for state employees prescribed under the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general.

The "per meal allowance" for a jury shall be the allowance for the same meal under state travel regulations multiplied by the number of jurors, alternates and officers. The expenses for one (1) or more meals furnished may exceed the "per meal allowance" provided that the total expenses for meals furnished shall not exceed the total allowances for all meals furnished.

For felony criminal juries, any county owning facilities for the boarding of jurors shall be due reimbursement at the maximum per meal allowance under state travel regulations for each meal that said facilities are actually used for the boarding of jurors and officers. Any county owning facilities for the lodging of juries shall be due for each juror and each officer a reimbursement of fifty percent

(50%) of the allowance for lodging as prescribed for state employees under the comprehensive travel regulations.

On motion, the amendment was adopted.

Thereupon, House Bill No. 191, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 834--To amend Junkyard Control Act.

Mr. McKinney moved that House Bill No. 834 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 907--To provide for deposit of state funds.

On motion, House Bill No. 907 was made to conform with Senate Bill No. 574.

On motion, Senate Bill No. 574, on same subject, was substituted for House Bill No. 907.

Mr. Dixon moved that Senate Bill No. 574 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--91.

Representative present and not voting was: Stafford--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1128--To make certain provisions, adoption.

Ms. Duer moved that House Bill No. 1128 be passed on third and final consideration.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1128 by deleting Section 1 in its entirety and by substituting instead the following language:

Section 1. Tennessee Code Annotated, Section 36-135, is amended by inserting the following language between the words "agency" and "except" in the first sentence:

,including but not limited to those specified in Section 14-10-116, except as provided in subsection (b) of this section, and

AND FURTHER AMEND by adding the following language as a new Section 2, renumbering subsequent sections accordingly:

Section 2. Tennessee Code Annotated, Section 36-135, is further amended by designating the existing language as subsection (a) and by adding the following language to be designated as subsection (b):

(b) Nothing in this section shall be construed to prohibit a court of competent jurisdiction from granting a petition for adoption where the natural parent or parents and the prospective adoptive parents to such action agree to the adoption and where such court finds that all pertinent information concerning the adoption and the parties involved has been fully disclosed to such court. Reasonable attorneys fees may be charged in such actions as approved by such court.

AND FURTHER AMEND by deleting the first word of the amendatory language of the original Section 2 and by substituting instead the following language:

Except as authorized by subsection (b) of this section, in

AND FURTHER AMEND by inserting the following language in the amendatory language of the original Section 2 between the words parent(s) and "for":

or to whom the child has been granted under a petition of adoption by a court of competent jurisdiction pursuant to subsection (b) of this section

AND FURTHER AMEND by inserting the following language in the amendatory language of Section 3 between the words "than" and "a" in the first sentence:

a person involved in or a party to an action filed pursuant to a petition for adoption authorized by Section 36-135(b).

AND FURTHER AMEND by adding the following language as a new section to be appropriately designated:

Section _____. Tennessee Code Annotated, Section 36-136, is amended by deleting the first word of the section and by substituting instead the following:

Except as authorized by Section 36-135(b) and subsection (c) of this section, it

Tennessee Code Annotated, Section 36-136, is further amended by adding the following language to be designated as subsection (c):

(c) In addition to the medical expense payments authorized by subsection (b) of this section, it shall be lawful for reasonable prenatal care and expense payments and reasonable care and living expenses payments of the natural mother or child to be adopted which payments have been approved by a court of competent jurisdiction pursuant to a petition for adoption filed as authorized by Section 36-135(b).

AND FURTHER AMEND by adding the following language at the end of the amendatory language of Section 5:

Provided further, however, the provisions of this section shall in no way be construed to prohibit a child to be brought into the state of Tennessee for the purpose of adoptive placement under a petition for adoption filed in a court of competent jurisdiction as authorized by Section 36-135(b).

Ms. Duer moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	65
Noes	22
Present and not voting	2

Representatives voting aye were: Anderson, Bewley, Burnett, Chiles, Clark (Davidson), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Huskey, Johnson, Jones, Kelley, King (Shelby), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Phillips, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sir, Smith, Starnes, Tanner, Ussery, Webb, Wheeler, Whitson, Wix, Wood and Work --65.

Representatives voting no were: Atchley, Bell, Bivens, Buck, Byrd, Crain, DeBerry, Hillis, Hurley, Jared, Kent, Owen, Rhinehart, Severance, Shockley, Stafford, Stallings, Turner, Wallace, Williams, Wolfe and Yelton--22.

Representatives present and not voting were: Bragg and Hudson --2.

Ms. DeBerry moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1128 by inserting the following language in the second sentence of the amendatory language of Section 2 between the words and punctuation "next of kin," and the word "Department":

a person with whom prior arrangements have been made for raising the child in case of emergency or death by either of the natural parents, or by both of such parents,

On motion, the amendment was adopted.

Mr. Buck moved that House Bill No. 1128 be re-referred to the Committee on Calendar and Rules.

Ms. Duer moved that the motion be tabled, which motion failed by the following vote:

Ayes	26
Noes	63
Present and not voting	1

Representatives voting aye were: Bewley, Chiles, Clark (Davidson), Cobb, Covington, Ellis, Elsea, Ford, Frensley, Gaia, Henry, Hudson, Huskey, McAfee, McNally, Montgomery, Moore (Shelby), Pickering, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Starnes, Ussery, Whitson and Wood--26.

Representatives voting no were: Anderson, Atchley, Bell, Bivens, Bragg, Buck, Byrd, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Gafford, Gill, Harrill, Hassell, Herndon, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Wallace, Webb, Wheeler, Williams, Wix, Wolfe, Work and Yelton--63.

Representative present and not voting was: Robinson (Hamilton) --1.

Thereupon, on motion, House Bill No. 1128 was referred to the Committee on Calendar and Rules.

CONSENT CALENDAR

House Bill No. 1270--To levy Mineral Severance Tax, Rutherford County.

On motion, House Bill No. 1270 was made to conform with Senate Bill No. 1185.

On motion, Senate Bill No. 1185, on same subject, was substituted for House Bill No. 1270.

House Bill No. 1281--To amend Charter, Huntingdon.

House Bill No. 1295--To regulate Tipton County School System.

House Bill No. 1296--To levy tax on lodgings, Hamilton County.

House Bill No. 1297--To provide funds for school buildings, Wilson County.

House Bill No. 1298--To authorize bonds, Tenth School District, Wilson County.

Senate Joint Resolution No. 90--Relative to congratulating Linden Elementary School basketball teams.

Senate Joint Resolution No. 92--Relative to sympathy, Dr. Webster Pendergrass.

House Resolution No. 56--Relative to commending TVA Board of Directors.

House Joint Resolution No. 195--Relative to recognizing Ms. Barbara Booker, Ms. Denise Marshall and Mrs. Ruth Stokes.

House Joint Resolution No. 196--Relative to congratulating Tri-Cities Christian High School basketball team.

House Joint Resolution No. 198--Relative to congratulating Austin East High School girls' track team.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed in third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 10--To authorize Board of Regents to acquire certain property, Shelby Co.

SENATE AMENDMENT NO. 1

Amend House Bill No. 10 by inserting the following language as a new section between present Section 1 and Section 2 and by renumbering the subsequent section accordingly:

SECTION ____. The provisions of this act shall not be construed to constitute an appropriation of funds and no funds shall be obligated or expended to implement the provisions of this act unless such funds are specifically appropriated pursuant to the general appropriations act.

Mr. Gill moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 604--To amend Time-Share Act.

SENATE AMENDMENT NO. 2

Amend House Bill No. 604 by deleting all the language following the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 66-32-101, is amended by deleting subsection (b) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 66-32-102, is amended by deleting item (7) in its entirety and by substituting instead the following:

(7) "Offering" means any offer to sell, solicitation, inducement or advertisement whether by radio, television, newspaper, magazine or by mail, whereby a person is given an opportunity to acquire a time-share interval within a project located either within or outside the state of Tennessee. Any offering of a time-share interval which is not located in this state shall not be an offering if the developer shall submit appropriate documentation satisfactory to the commission that the time-share program is in compliance with the law of the jurisdiction in which the time-share interval is located and such law is as stringent as this chapter.

Tennessee Code Annotated, Section 66-32-102, is further amended by deleting item (14) in its entirety and by substituting instead the following:

(14) "Sales Agent" means a person who sells or offers to sell "Time-Share Intervals" in a "Time-Share Program" to a purchaser. All such sales agents shall be licensed and subject to the provisions of Tennessee Code Annotated, Title 62, Chapter 13.

SECTION 3. Tennessee Code Annotated, Section 66-32-112, is amended by deleting item (9) in its entirety and by substituting instead the following:

(9) A statement that within ten (10) days from the date of the signing of the contract made by the purchaser, where the purchaser shall have made an on-site inspection of the time-share project prior to the signing of the contract of purchase, and where purchaser has not made an on-site inspection of the time-share project prior to the signing of the contract of purchase fifteen (15) days from the date of signing of the contract, purchaser may cancel any contract for the purchase of a time-share interval from developer;

SECTION 4. Tennessee Code Annotated, Section 66-32-113, is amended by deleting subsection (d) in its entirety and by substituting instead the following subsections (d) and (e):

(d) (1) In lieu of the foregoing provisions in Subsections (a) and (b), a developer may withdraw, after the initial rescission period for cancellation has expired, all payments received by the developer from the buyer toward the sales price, provided:

(A) The developer, prior to withdrawal of any funds, posts a surety bond, irrevocable letter of credit or other financial assurances acceptable to the commission in an amount equal to 125% of the cost to complete the time-share project. The developer shall be required to submit such cost and financial data as the commission may reasonably require; or

(B) The developer has obtained protection for non-defaulting purchasers in compliance with Section 66-32-128 of this chapter, and has obtained a final and binding commitment letter on the construction of the project and a final and binding commitment letter on the financing of the same said construction. A bond obtained pursuant to subsection (d) (1) (A) above shall be executed by the seller as principal and by a surety company authorized to do business in Tennessee as surety. The bond shall be conditioned upon the faithful compliance of the seller with the "Tennessee Time-share Act" including substantial completion as defined in subsection (c) of the project and unit and compliance with the contract of purchase.

(2) Payments so withdrawn pursuant to this subsection may be used only to pay for construction costs of the improvements comprising the time-share project.

(e) In lieu of any escrows required by this section, the commission shall have the discretion to accept other financial assurances including, but not limited to, a performance bond or an irrevocable letter of credit in an amount at least equal to or in excess of the cost to complete the time-share project.

SECTION 5. Tennessee Code Annotated, Section 66-32-114, is amended by deleting the section in its entirety and by substituting instead the following:

(a) Before transfer of a time-share interval and no later than the date of any sales contract, the developer shall provide the intended transferee with a copy of the public offering statement and any amendments and supplements thereto. The contract is voidable by the purchaser until he has received the public offering statement. The contract is also voidable by the purchaser for ten (10) days from the date of the signing of the contract by the purchaser if the

purchaser shall have made an on-site inspection of the time-share project prior to the signing of the contract, and if the purchaser did not make an on-site inspection of the time-share project prior to signing the contract, for fifteen (15) days thereafter. Cancellation is without penalty, and all payments made by the purchaser before cancellation must be refunded within thirty (30) days after receipt of the notice of cancellation as provided in subsection (c) below.

(b) During the applicable rescission period, developer may cancel the contract of purchase without penalty to either party. The developer shall return all payments due, the purchaser shall return all material received in good condition, reasonable wear and tear excepted. If such materials are not returned, the developer may deduct the cost of the same and return the balance to the purchaser.

(c) If either party elects to cancel a contract pursuant to subsection (a) or (b), he may do so by hand delivering notice thereof to the other party within the designated period for voiding such contract or by mailing notice thereof by pre-paid United States mail, postmarked anytime within the designated period for voiding such contract, to the other party or to his agent for service of process. The rescission rights set forth in subsections (a) and (b) above may not be waived by either the purchaser or developer.

SECTION 8. Tennessee Code Annotated, Section 66-32-122, is amended by deleting subsections (b), (c), (d) and (e) in their entirety and by substituting instead the following:

(b) The Acquisition Agent shall be required to furnish to the commission its principal office address and telephone number and designate its responsible managing employee and shall furnish such additional information as the commission may require.

(c) The Sales Agent shall, in addition to other requirements of law, be required to furnish to the commission its principal office address and telephone number and designate its responsible managing employee and shall furnish such additional information as the commission may require.

(d) The Managing Agent shall be required to furnish to the commission its principal office address and telephone number and designate its responsible managing employee and shall furnish such additional information as the commission may require.

SECTION 7. It shall be unlawful for any person with intent directly or indirectly to offer for sale or sell time-share intervals in this state, to authorize, use, direct or aid in the publication, distribution or circulation of any advertisement, radio broadcast or telecast concerning the time-share project in which the time-share intervals are offered, which contains any statement, pictorial representation or sketch which is false or misleading. Nothing in this section shall be construed to hold the publisher or employee of any newspaper, or any job printer, or any broadcaster or telecaster, or any magazine publisher, or any of the employees thereof, liable for any publication herein referred to unless the publisher, employee, or printer has actual knowledge of the falsity thereof or has an interest either as an owner or agent in the time-share intervals so advertised.

SECTION 8. No advertising for the offer or sale of time-share intervals shall:

(a) Contain any representation as to the availability of a resale program or rental program offered by or on behalf of the developer or its affiliate unless the resale program and/or rental program has been made a part of the offering and submitted to the commission.

(b) Contain an offer or inducement to purchase which purports to be limited as to quantity or restricted as to time unless the numerical quantity and/or time applicable to the offer or inducement is clearly and conspicuously disclosed.

(c) Contain any statement concerning the investment merit or profit potential of the time-share interval unless the commission has determined from evidence submitted on behalf of the developer that the representation is neither false nor misleading.

(d) Make a prediction of or imply specific or immediate increases in the price or value of the time-share intervals; nor shall a price increase of a time-share interval be announced more than sixty (60) days prior to the date that the increase will be placed into effect.

(e) Contain statements concerning the availability of time-share intervals at a particular minimum price if the number of time-share intervals available at that price comprises less than 10% of the unsold inventory of the developer, unless the number of time-share intervals then for sale at the minimum price is set forth in the advertisement.

(f) Contain any statement that the time-share interval being offered for sale can be further divided unless a full

disclosure is included as to the legal requirements for further division of the time-share interval.

(g) Contain any asterisk or other reference symbol as a means of contradicting or changing the ordinary meaning of any previously made statement in the advertisement.

(h) Misrepresent the size, nature, extent, qualities, or characteristics of the accommodations or facilities which comprise the time-share project.

(i) Misrepresent the nature or extent of any services incident to the time-share project.

(j) Misrepresent or imply that a facility or service is available for the exclusive use of purchasers or owners if a public right or access or of use of the facility or service exists.

(k) Make any misleading or deceptive representation with respect to the contents of the time-share program, the Purchase Contract, the purchaser's rights, privileges, benefits or obligations under the Purchase Contract or this Act.

(l) Misrepresent the conditions under which a purchaser or owner may participate in an Exchange Program.

(m) Describe any proposed or uncompleted private facilities over which the developer has no control unless the estimated date of completion is set forth and evidence has been presented to the commission that the completion and operation of the facilities are reasonably assured within the time represented in the advertisement.

SECTION 9. It is unlawful for any Person to offer, by mail, by telephone or in person, a prize or gift, with the intent to offer a sales presentation for a time-share project, without disclosing at the time of the offer of the prize or gift, in a clear and unequivocal manner, the intent to offer the sales presentation. The following unfair acts or practices undertaken by, or omissions of, any Person in the operation of any prize or gift promotional offer for a time-share project are prohibited:

(a) Failing clearly and conspicuously to disclose the rules, regulations, terms and conditions of the promotional program; a description of the prizes offered, if any; and the date or dates on or before which the prize or gift offer will terminate or expire.

(b) Failing to disclose the retail value of the gift or prize and the odds of winning.

(c) Failing to obtain the express written or oral consent of individual winners before their names are used for a promotional purpose in connection with a mailing to a third person.

(d) Failing to award and distribute at least one of each prize or gift of the value and type represented in the promotional program by the day and year specified in the promotion. When a promotion promises the award of a prescribed number of each prize, such number of prizes shall be awarded by the date and year specified in the promotion.

(e) Misrepresenting in any manner the rules, terms, or conditions of participation in the promotional program.

SECTION 10. Whenever the commission determines from evidence available to it that a Person is violating or failing to comply with the requirements of this section, the commission may order the Person to cease and desist from such violations and may take enforcement action under the provisions of Section 66-32-121 through Section 66-32-126.

SECTION 11. The provisions of Sections 7, 8 and 9 shall be in addition to those provisions in the Tennessee Consumer Protection Act provided, however, to the extent that any provisions of the Tennessee Consumer Protection Act are in conflict with the provisions contained herein, the provisions of Tennessee Consumer Protection Act shall control.

SECTION 12. This Act shall take effect one hundred twenty (120) days after its passage.

Ms. Duer moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 855--To enact the Financial Records Privacy Act.

SENATE AMENDMENT NO. 3

Amend House Bill No. 855 by adding at the end of Section 7 the following additional sentence:

Nothing herein shall restrict the power of the appropriate court for good cause shown to cause subpoenae to be issued or responses thereto to be made in less than any of the time periods set forth herein, including instanter.

AND FURTHER AMEND by deleting Section 8 in its entirety, and by substituting therefor the following new Section 8:

Section 8. On motion of any affected party, and for good cause shown, the court may require the person requesting the production of any records of a financial institution in a civil action to execute a bond, with sufficient surety, in such amount as may be deemed sufficient by the court.

Mr. Burnett moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 859--To require state entities to purchase locally mined coal.

SENATE AMENDMENT NO. 1

Amend House Bill No. 859 by inserting in Section 1 the word "delivered" between the words "a" and "price".

AND FURTHER AMEND Section 1 by deleting the words "competitive with" and by substituting instead the words "equal to or less than".

Mr. Burnett moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Representative present and not voting was: Bragg--1.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 67--Relative to study, use, institutional facilities.

The Speaker referred Senate Joint Resolution No. 67 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 94--Relative to commending Julia S. Gibbons.

Under the rules, Senate Joint Resolution No. 94 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 100--Relative to memory, Dr. Hobart Ford.

Under the rules, Senate Joint Resolution No. 100 was referred to the Committee on Calendar and Rules.

RULES SUSPENDED

Mr. Hillis moved that the rules be suspended in order that all "Coon Dog" bills (general bills with local application) for the duration of the 1983 session be referred to the Committee on Calendar and Rules, which motion prevailed

SECOND ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--97.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 60--Relative to honoring Reverend Bill Bates--By Kisber and Wallace.

Under the rules, House Resolution No. 60 was referred to the Committee on Calendar and Rules.

House Resolution No. 61--Relative to continuing Special Committee on Juvenile Corrections--By DeBerry.

The Speaker referred House Resolution No. 61 to the Committee on Calendar and Rules.

House Joint Resolution No. 199--Relative to honoring Commissioner Charles A. Howell, III--By Henry, Hillis, Johnson and Stallings.

Under the rules, House Joint Resolution No. 199 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 200--Relative to Parents Anonymous--By Murphy.

The Speaker referred House Joint Resolution No. 200 to the Committee on Education.

House Joint Resolution No. 201--Relative to honoring Dana Coleman--By Hudson, Smith and Scruggs.

Under the rules, House Joint Resolution No. 201 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 202--Relative to commending Stephen D. Ruff--By Severance and Scruggs.

Under the rules, House Joint Resolution No. 202 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 203--Relative to congratulating Smyrna Lady's basketball team--By Bragg.

Under the rules, House Joint Resolution No. 203 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 204--Relative to memory, Jess Neely --By Bragg, Chiles, Mr. Speaker McWherter, Frensley, Cobb, Miller, Herndon and Disspayne.

Under the rules, House Joint Resolution No. 204 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 205--Relative to expressing appreciation, Martha Roberts--By Scruggs.

Under the rules, House Joint Resolution No. 205 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 206--Relative to congratulating MTSU Lady Raiders--By Bragg.

Under the rules, House Joint Resolution No. 206 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 207--Relative to commending Sam Belew and Pete Buhls--By Moore (Sullivan).

Under the rules, House Joint Resolution No. 207 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 208--Relative to congratulating Mrs. Thelma Renner--By Starnes.

Under the rules, House Joint Resolution No. 208 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 209--Relative to thanking Robert Moore, Jr.--By Miller, Scruggs, Drew, Owen, Hudson and Smith.

Under the rules, House Joint Resolution No. 209 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 210--Relative to placing certain vending machines, Welcome Centers--By Miller, Severance and DeBerry.

The Speaker referred House Joint Resolution No. 210 to the Committee on Transportation.

INTRODUCTION OF BILLS

House Bill No. 1306--To grant certain authority, Juvenile Court, Henry County--By Kelley and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 1307--To increase number of Commissioners, Humphreys County Port Authority--By Work, Herndon and Gafford.

Passed first consideration.

House Bill No. 1308--To set coon season, Sevier and Blount Counties--By Huskey, Atchley, Scruggs, Anderson and Stafford.

Passed first consideration.

House Bill No. 1309--To set coon season, Pickett, Clay, Smith and Jackson Counties--By Davis (Pickett) and Buck.

Passed first consideration.

House Bill No. 1310--To set coon season, Cumberland County--By Duer and Jared.

Passed first consideration.

House Bill No. 1311--To set coon season, Roane County--By Duer, Henry and McNally.

Passed first consideration.

House Bill No. 1312--To levy tax on amusements, certain municipalities--By Davidson.

Passed first consideration.

House Bill No. 1314--To set coon season, Hancock County--By Atchley.

Passed first consideration.

House Bill No. 1315--To set coon season, Putnam County--By Jared and Hillis.

Passed first consideration.

House Bill No. 1316--To provide for protection of archaeological sites, certain counties--By Moore (Sullivan), Yelton, Montgomery and Whitson.

Passed first consideration.

House Bill No. 1317--To set coon season, Monroe, Polk and McMinn Counties--By Webb, Harrill and Stafford.

Passed first consideration.

House Bill No. 1318--To set coon season, Greene, Cocke and Hamblen Counties--By Bewley, Whitson, Ford and Shockley.

Passed first consideration.

House Bill No. 1319--To amend charter, Burns--By Work.

Passed first consideration.

House Bill No. 1320--To make certain provisions, safe deposit boxes--By Smith.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 74--To regulate election, general sessions judges, Hamilton County.

Passed first consideration.

Senate Bill No. 180--To regulate Civil Service interviews.

Passed first consideration.

Senate Bill No. 557--To enact Tennessee Conservation Corps Act.

Passed first consideration.

Senate Bill No. 612--To regulate membership, county boards of health.

Passed first consideration.

Senate Bill No. 660--To regulate use, minors for obscene purposes.

Passed first consideration.

Senate Bill No. 672--To enact Uniform Durable Power of Attorney Act.

Passed first consideration.

Senate Bill No. 732--To enact Uniform Arbitration Act.

Passed first consideration.

Senate Bill No. 880--To regulate county and municipal airports.

Passed first consideration.

Senate Bill No. 1039--To reorganize Department of Public Health.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1300--To provide for judge, Trial Justice Court, Sevier County.

Passed second consideration and held without reference.

House Bill No. 1301--To set term of office, Hamilton County Board of Education.

Passed second consideration and held without reference.

House Bill No. 1302--To amend Section 56-32-102, Code.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1303--To set penalty, driving while intoxicated.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1304--To regulate school system, Manchester.

Passed second consideration and held without reference.

House Bill No. 1305--To set coon season, Unicoi County.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1313--To set coon season, Claiborne, Campbell, Scott, Anderson and Union Counties.

Passed second consideration and referred to Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, April 27, 1983: House Bills Nos. 668, 1135, 1177, 1178, 1192, 1173, 915, 1172, House Joint Resolution No. 84, House Bills Nos. 1157, 794, 795, 694, 1031, 1169, 720, 773, 535, 1117, 602, 600, 979, 931, 788 and 885.

GILL, Chairman.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Wednesday, April 27, 1983:

House Bill No. 527--Cobb

House Bill No. 917--Gill

MOTIONS

On motion of Mr. Gill, House Bill No. 937 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Gill, House Bill No. 937 was referred to the Committee on Finance, Ways and Means.

On motion of Mr. Wheeler, House Bill No. 910 was recalled from the Committee on Commerce.

On motion of Mr. Wheeler, House Bill No. 910 was withdrawn from the House.

On motion of Mr. Wheeler, House Bill No. 793 was recalled from the Committee on Commerce.

On motion of Mr. Wheeler, House Bill No. 793 was withdrawn from the House.

On motion of Mr. Love, Senate Joint Resolution No. 74 was recalled from the Committee of Conservation and Environment.

On motion of Mr. Love, Senate Joint Resolution No. 74 was referred to the Committee on Calendar and Rules.

SPONSORS ADDED

Without objection, the rules were suspended to allow the

following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 101--McKinney

House Bill No. 802--Williams

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1300, 1301 and 1304.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, April 27, 1983: House Joint Resolution No. 159; House Bill No. 863; House Resolution No. 28; House Bills Nos. 1300, 1301, 1304; House Joint Resolutions Nos. 199, 201, 202, 203, 204, 205, 206, 207, 208, 209 and House Resolution No. 60; and Senate Joint Resolutions Nos. 67, 94 and 100.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 191, 247, 567, 626, 834, 835, 886, 887, 1281, 1295, 1296, 1297 and 1298; and House Joint Resolutions Nos. 133, 195, 196 and 198; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 502, 776, 787, 864, 875, 984, 1179 and 1195; and House Joint Resolutions Nos. 76, 161, 162, 168, 178, 184 and 186 all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 502, 776, 787, 864, 875, 984, 1179 and 1195; and House Joint Resolutions Nos. 76, 161, 162, 168, 178, 184 and 186; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m. tomorrow.